

Notice of Allowability

Application No.

10/621,649

Examiner

Jeff Piziali

Applicant(s)

HEWITT ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed 11 June 2007.
2. ☒ The allowed claim(s) is/are 11-16, 24, and 25 (renumbered as claims 1-8).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Jeff Piziali
23 July 2007

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to the applicants, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Please amend the claims as follows:

IN THE CLAIMS:

Cancel claims 1-10 and 17-23.

Election/Restrictions

2. This application is in condition for allowance except for the presence of claims 1-10 and 17-23 directed to an invention non-elected without traverse (see the 'Reply to Election Requirement' filed 17 March 2006 and the 'Final Office Action' mailed 23 August 2006). Accordingly, claims 1-10 and 17-23 have been cancelled.

Drawings

3. The drawings were received on 8 December 2005. These drawings are acceptable.

Allowable Subject Matter

4. Claims 11-16, 24, and 25 (renumbered as claims 1-8) are allowed.

5. The following is an examiner's statement of reasons for allowance:

The present invention comprises a method of producing a stereoscopic image of a scene on a stereoscopic display for an observer. The prior art, *Kakizawa (US 6,580,556 B2)* discloses a method [Fig. 1; 10] of producing a stereoscopic image of a scene on a stereoscopic display [Fig. 1; 12a, 12b] for an observer [Fig. 1; A, B], the method comprising the steps of: obtaining at least two video signals [Fig. 2; 18a-18d] of the scene; processing [Fig. 3; 20] the at least two video signals to generate stereoscopic image data; displaying the stereoscopic image on the stereoscopic display such that the stereoscopic image [i.e. right and left images] appears at a viewing surface [Fig. 1; 12a, 12b -- e.g., a computer monitor] (see Column 1, Lines 48-54); and obscuring [Fig. 2; 14] at least a portion of the stereoscopic display from the observer with a mid-window [Fig. 2; 16] (see Column 1, Line 45 - Column 2, Line 50) to thereby prevent frame violation effects in the stereoscopic image, such that objects appearing in front of the viewing surface are not blocked by an edge of a display frame [e.g., a computer monitor frame] (see Fig. 4; Column 3, Lines 1-28 -- wherein any object placed in front of the viewing surface will inherently not be blocked by a display frame placed behind it).

However, as argued by the applicants (on Pages 9-11 of the Amendment filed 11 June 2007), the prior art does not expressly teach the subject matter of obscuring at least a portion of the left stereoscopic image from the observer with a left aperture located between a left eyepiece and the stereoscopic display, and obscuring at least a portion of the right stereoscopic image from the observer with a right aperture located between a right eyepiece and the stereoscopic display, to thereby prevent frame violation effects in the stereoscopic image, such that displayed objects intended to appear in front of the viewing surface are not blocked by an edge of a display

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frame, in combination with the remaining features and subject matter of the instantly claimed invention.

This distinct structural and operational arrangement has been incorporated into all three independent claims (i.e. claims 11, 24, and 25 -- renumbered as claims 1, 7, and 8), thereby rendering them allowable.

Any comments considered necessary by applicants must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. The art made of record and not relied upon is considered pertinent to applicants' disclosure. Benjamin et al (US 2006/0238441 A1), Ueda et al (US 2005/0083570 A1), Takahashi et al (US 2005/0030621 A1), Morita (US 2004/0263613 A1), Dunn (US 6,890,077 B2), Hara et al (US 5,486,841 A), Morishita (US 4,677,468 A), and Kendall (US 4,298,176 A) are cited to further evidence the state of the art pertaining to methods of producing stereoscopic images.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeff Piziali whose telephone number is (571) 272-7678. The examiner can normally be reached on Monday - Friday (6:30AM - 3PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on (571) 272-7681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Jeff Piziali
23 July 2007